

REMARKS

Claims 1-6 are pending in this application. Claim 1 has been amended. Reconsideration of the application, as amended, is respectfully requested.

The disclosure is objected to because on page 13, lines 6-8, a label 126 is used to refer to a Radio Bearer Setup Message and a label 126a is used to refer to an Information Element, but these labels are not found in the figures.

After reviewing the figures, each of the labels 126 and 126a is found on the right-hand side of Figure 6. Acceptance of the specification and the drawings is therefore respectfully requested.

Claim 1 is objected to because of the following informalities: In claim 1, the variable "START_VALUE_TO_TRANSMIT" should be "START_VALUE_TO_TRANSMIT". Appropriate correction is required.

Claim 1 has been amended to correct this spelling error. Acceptance of the corrected claim 1 is respectfully requested.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed.

In independent claims 1 and 5, the limitation that recites "...in response to the Radio Bearer Setup message, the UE assigning a first START value to a START_VALUE_TO_TRANSMIT variable according to the HFNs of all established RBs in the first domain..." implies that the START_VALUE_TO_TRANSMIT variable contains HFN values for established RBs and contradicts the specification and the Standards the disclosure in the specification relies heavily on. As the specification indicates in Paragraph 14 and the 3GPP TS 25.311 V3.10.0 indicates, START_VALUE_TO_TRANSMIT contains the value for only new radio bearer(s) to be transmitted in a response message (i.e. Bearer Setup Complete).

Paragraph 14 discloses that "Upon reception of a Radio Bearer Setup message, the UE 40 calculates a variable termed START_VALUE_TO_TRANSMIT 49s, which is to be used as the START value for the newly created RB 48n. This START_VALUE_TO_TRANSMIT value 49s is calculated in the manner indicated above for the START list 49 entries 49p, 49c."

However, in Paragraph 13, the method for calculating the START list 49 entries 49p, 49c is described, "Hence, the START list 49 IE currently contains two values: the START value 49p for the PS domain 30p, and the START value 49c for the CS domain 30c. The UE 40 determines the START value for a domain 30p, 30c simply by looking at all RBs 48 within that domain 30p, 30c and adding two to the highest rHFN 76r or tHFN 76t found within the domain 30p, 30c, including the HFNs in the RRC layer 80 used for generating COUNT-I values."

For these reasons, the applicant believes that the current claim language in claims 1 and 5 is consistent with the specification, and correctly describes the situation of calculating the START value and assigning the START_VALUE_TO_TRANSMIT value. Reconsideration of claims 1-6 is therefore respectfully requested.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by 3GPP TS 25.311 V3.10.0 03/2002 (hereinafter referred to as 3GPP/331). This rejection is respectfully traversed.

Claim 1 contains the limitation of "the UE filling the entries with corresponding START values, wherein the UE synchronizes the entry corresponding to the first domain to hold a value that is identical to the value of the START_VALUE_TO_TRANSMIT variable." Paragraph 18 of the specification explains, "It is an advantage of the present invention that by either forcing the appropriate entry in the START to be identical to the value held by the START_VALUE_TO_TRANSMIT variable, or by explicitly including the value of the START_VALUE_TO_TRANSMIT variable in the reply message, the present invention method ensures that both the UE and the UTRAN apply the same START value to the HFNs of new RB. Synchronization of the RLC peer entities for the new RB is thus assured, and hence proper cipher is performed. Similarly, synchronization of the START values ensures that integrity protection is properly performed in the RRC layer."

Therefore, with the UE synchronizing the entry corresponding to the first domain to hold a value that is identical to the value of the START_VALUE_TO_TRANSMIT variable, both the UE and the UTRAN can apply the same START value to the HFNs of new RBs.

On the other hand, the 3GPP/331 specification does not teach the limitation of "the UE filling the entries with corresponding START values, wherein the UE synchronizes the entry corresponding to the first domain to hold a value that is identical to the value of the START_VALUE_TO_TRANSMIT variable." The 3GPP/331 specification does not teach or suggest that the entry corresponding to the first domain should hold a value that is identical to the value of the START_VALUE_TO_TRANSMIT variable. Instead, the 3GPP/331 specification teaches on lines 3-4 of page 11 including the calculated START values for each CN domain in the IE "START list" in the IE "Uplink counter synchronization info". This does not mention that "the entry corresponding to the first domain should hold a value that is identical to the value of the START_VALUE_TO_TRANSMIT variable". Therefore, the 3GPP/331 specification does not teach all of the limitations of claim 1, and claim 1 should be patentable over the prior art.

Claim 5 contains the limitation of "in response to the Radio Bearer Setup message, the UE composing a reply message, the reply message including the START list as a first information element (IE) and including the first START value of the START_VALUE_TO_TRANSMIT variable as a second IE." However, the 3GPP/331 specification does not teach using the first START value of the START_VALUE_TO_TRANSMIT variable as an information element (IE). Therefore, the 3GPP/331 specification fails to teach all of the limitations contained in claim 5, and claim 5 is patentable over the cited prior art.

Furthermore, claims 2-4 and 6 are dependent on independent claims 1 and 5, and should be allowed if claims 1 and 5 are allowed. Reconsideration of claims 1-6 is therefore respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

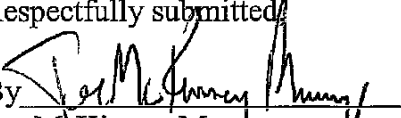
Application No. 10/064,204
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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